

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-2642

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Charles Bausley,

Appellant,

v.

Kevin Dugan; Joe Spencer,

Appellees.

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\* Appeal from the United States

\* District Court for the

\* Western District of Arkansas.

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\* [UNPUBLISHED]

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Submitted: October 1, 2004

Filed: October 13, 2004

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Before MURPHY, FAGG, and SMITH, Circuit Judges.

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PER CURIAM.

Charles Bausley appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 action claiming defendant jail personnel violated his Fourth and Fourteenth Amendment rights by searching his cell and seizing some of his possessions. Having carefully reviewed the record, we conclude that dismissal was proper for the reasons the district court stated. See Hudson v. Palmer, 468 U.S. 517, 525-36 (1984) (Fourth

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<sup>1</sup>The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas, adopting the report and recommendations of the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas.

Amendment has no applicability to prison cells; no due process violation in unauthorized deprivation of prisoner's property if adequate state postdeprivation remedy exists); McQuillan v. Mercedes-Benz Credit Corp., 961 S.W.2d 729, 732 (Ark. 1998) (state-law action for conversion is remedy for wrongful possession or disposition of another's property). Accordingly, we affirm. See 8th Cir. R. 47B.

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